

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAROLD JAMES MORGAN,

Petitioner,

v.

Case No. 20-cv-12910
HON. GERSHWIN A. DRAIN

O'BELL WINN,

Respondent.

_____/

ORDER DIRECTING CLERK'S OFFICE TO CHANGE NATURE OF SUIT

On October 29, 2020, Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is represented by counsel, who styled this action as "890 Other Statutory Actions." Because Petitioner is attacking his state criminal conviction and sentence, this was improper. The Clerk's office SHALL change the cause and nature of the suit to a habeas corpus action, "530." *See Hersey v. Carlson*, No. 1:07-cv-906, 2007 U.S. Dist. LEXIS 99243, at *1 (W.D. Mich. Oct. 11, 2007) (directing clerk of court to change nature of suit from civil rights action to habeas proceeding).

SO ORDERED.

Dated: November 15, 2022

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record and on
November 15, 2022, by electronic and/or ordinary mail.

/s/ Teresa McGovern
Deputy Clerk